REMARKS

In the above-identified Office Action, the Examiner has objected to claims 3 and 12 because of certain noted informalities. Applicant has amended the claims to delete the typographical errors and as such, the claims are now considered acceptable.

Claims 21, 2-4 and 6-14 have been rejected as being non-enabling. The Examiner has stated that in claim 21, lines 6-7, the phrase "restrain said active substance by surface tension from flowing under gravity from said reservoir" does not have adequate support in the disclosure. Applicant disagrees, and notes that page 8, lines 6-11 of the subject specification states that "the hole 17 is sized having regard to the viscosity of the active substance so as to insure that when active substance blows from the reservoir 7 under gravity and into contact with the inlet side of the restrictor 14, surface tension prevents flow through the hole 17". This is clear support for the phrase referred to in claim 21 by the Examiner. Applicant notes that the active substance flows from the reservoir under gravity only upon movement by flowing water. Further, claims 2-4 have been canceled, thereby obviating the rejection for those claims.

Claims 21, 2-4 and 6-14 have been rejected under 35 U.S.C. §112 as being indefinite. The Examiner has set forth his rationale for each rejection. Applicant has amended each claim to delete the indefiniteness therein, noting that in claim 21 the term "flow directing means" has been deleted. Claims 2-4 have been canceled. Claim 7 "under gravity" is not inconsistent with claim 21 since, as noted above, the active substance is released from the reservoir under action from the water, otherwise being retained in place by gravity. In claim 8, as noted above, the flow directing means of claim 21 has been deleted and accordingly, the chamber is not now doubly included.

With regard to "closing means" in claim 10, this turn has been canceled from the claim. Regarding the "venting means" of claim 13, Applicant has canceled "flow directing means" in claim 21 and accordingly, there is no longer a question of double inclusion.

Claims 21, 6 and 7 have been rejected under 35 U.S.C. §102(e) as being anticipated by Leonard et al. Applicant notes that Leonard et al. was filed on December 14, 1999, which is subsequent in time to Applicant's priority date herein of July 2, 1999. Accordingly, Leonard et al. is not prior art to the subject application and cannot be used in rendering the subject claims unpatentable.

Applicant hereby requests reconsideration and reexamination thereof.

With the above amendments and remarks, this application is considered ready for allowance and Applicant earnestly solicits an early notice of same. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned at the below-listed number.

Respectfully submitted,

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